

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|------------------------------|---|----------------------|
| ARON GEIGER, |) | |
| |) | |
| Plaintiff, |) | 4:06CV3055 |
| |) | |
| v. |) | |
| |) | |
| JAMES L. COX JR., and ROSSI, |) | MEMORANDUM AND ORDER |
| COX & VUCINOVICH, |) | |
| |) | |
| Defendants. |) | |
| |) | |

The defendant has filed a notice of written objections to the subpoena the plaintiff intends to serve on Citywide Banks of Aurora, Colorado. See NECivR 45.1(b). The subpoena orders Citywide Banks to produce documents to the plaintiff's counsel on or before November 27, 2006.

IT THEREFORE HEREBY IS ORDERED:

1. On or before October 25, 2006, the parties shall attempt through personal consultation, (see NECivR 7.1(i)), to resolve any dispute over the contents and service of the proposed subpoena.
2. If the parties are unable to resolve any or all of the objections raised:
 - a. On or before October 31, 2006 , the plaintiff shall file a motion for leave to serve the proposed subpoena, a supporting brief, and any evidence to be offered in support of the motion. These filings shall comply with the requirements of NECivR 7.1(a) and 7.1(i).
 - b. The defendant is given until November 6, 2006 to file any responsive brief and evidence. See NECivR 7.1(b).

c. A reply brief shall not be allowed absent leave of the court for good cause shown.

DATED this 20th day of October, 2006.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge